

IN THE CLAIMS:

A marked up version of the claims showing the claim amendments is attached hereto as Appendix A. Matter that has been deleted from the claims is indicated by brackets and matter that has been added to the paragraph is indicated by underlining.

Please cancel claims 124-160 and 167-260 without prejudice.

Please amend claims 161, 165 and 166 to read as follows:

B1
161. (Amended) Zolpidem hemitartrate, characterized by an X-ray powder diffraction pattern having peaks at about 7.1, 9.5, 14.1, 19.6 and 24.5 ± 0.2 degrees two-theta.

B2
165. (Amended) A pharmaceutical composition comprising a therapeutically effective amount of the zolpidem hemitartrate of claim 161, wherein the zolpidem hemitartrate is in the form of particles, and a pharmaceutically acceptable carrier.

166. (Amended) A method for treating a patient suffering from insomnia by administering a therapeutically effective amount of the zolpidem hemitartrate of claim 161.

Please add the following new claims:

B3
261. (New) The zolpidem hemitartrate of claim 161, further characterized by an X-ray diffraction pattern substantially as depicted in Figure 5.

262. (New) The zolpidem hemitartrate of claim 162, further characterized by a DTG thermogram substantially as depicted in Figure 6.

263. (New) The zolpidem hemitartrate of claim 161, wherein the zolpidem hemitartrate is a hydrate.

264. (New) The hydrate of claim 263, wherein the hydrate is a monohydrate.

265. (New) The hydrate of claim 263, wherein the water content is from about 2.3 % to about 2.7 % by weight.

266. (New) The hydrate of claim 263, wherein the zolpidem hemitartrate hydrate is in the form of particles having a size of up to about 200 microns.

267. (New) The hydrate of claim 266, wherein the zolpidem hemitartrate hydrate is in the form of particles having a size of up to about 50 microns.

63 268. (New) A zolpidem hemitartrate of claim 161, wherein the zolpidem hemitartrate is a solvate.

269. (New) The solvate of claim 268, wherein the zolpidem hemitartrate is a hemiethanolate.

270. (New) The solvate of claim 268, wherein the solvate is selected from the group consisting of zolpidem hemitartrate isopropanol, zolpidem hemitartrate butanol, zolpidem hemitartrate ethylacetate and zolpidem hemitartrate acetone.

271. (New) The solvate of claim 268, wherein the zolpidem hemitartrate solvate is in the form of particles having a size of up to about 200 microns.

272. (New) The solvate of claim 271, wherein the zolpidem hemitartrate solvate is in the form of particles having a size of up to about 50 microns.

273. (New) A pharmaceutical composition comprising a therapeutically effective amount of zolpidem hemitartrate of claim 263, wherein the zolpidem hemitartrate hydrate is in the form of particles having a size of up to about 200 microns, and a pharmaceutically acceptable carrier.

274. (New) The pharmaceutical composition of claim 273, wherein the particles have a size of up to about 50 microns.

275. (New) A pharmaceutical composition comprising a therapeutically effective amount of zolpidem hemitartrate of claim 268, wherein the zolpidem hemitartrate solvate is in the form of particles having a size of up to about 200 microns, and a pharmaceutically acceptable carrier.

276. (New) The pharmaceutical composition of claim 275, wherein the particles have a size of up to about 50 microns.

63 277. (New) The pharmaceutical composition of claim 165, wherein the particles have a size of up to about 200 microns.

278. (New) The pharmaceutical composition of claim 165, wherein the particles have a size of up to about 50 microns.

279. (New) A method for preparing a pharmaceutical composition comprising combining a therapeutically effective amount of the zolpidem hemitartrate of claim 161 and a pharmaceutically acceptable carrier.